



Substitute House Bill No. 5326

Public Act No. 11-248

AN ACT REQUIRING CARBON MONOXIDE DETECTORS IN ALL PUBLIC AND NONPUBLIC SCHOOLS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 29-292 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(a) (1) The State Fire Marshal and the Codes and Standards Committee shall adopt and administer a Fire Safety Code and at any time may amend the same. The code shall be based on a nationally recognized model fire code and shall be revised not later than January 1, 2005, and thereafter as deemed necessary to incorporate advances in technologies and improvements in construction materials and any subsequent revisions to the code not later than eighteen months following the date of first publication of such revisions to the code, unless the State Fire Marshal and the committee certify that a revision is not necessary for such purpose. The regulations in said code shall provide for reasonable safety from fire, smoke and panic therefrom, in all buildings and areas adjacent thereto except in private dwellings occupied by one or two families and upon all premises, and shall include provision for [(1)] (A) carbon monoxide detection and warning equipment in (i) new residential buildings not exempt under regulations adopted pursuant to this subsection and designed to be

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occupied by one or two families for which a building permit for new occupancy is issued on or after October 1, 2005, and [(2)] (ii) all public or nonpublic school buildings, and (B) smoke detection and warning equipment in [(A)] (i) residential buildings designed to be occupied by two or more families, [(B)] (ii) new residential buildings designed to be occupied by one family for which a building permit for new occupancy is issued on or after October 1, 1978, requiring equipment complying with the Fire Safety Code, and [(C)] (iii) new residential buildings designed to be occupied by one or more families for which a building permit for new occupancy is issued on or after October 1, 1985, requiring equipment capable of operation using alternating current and batteries.

(2) Said regulations shall provide the requirements for markings and literature which shall accompany such equipment sufficient to inform the occupants and owners of such buildings of the purpose, protective limitations and correct installation, operating, testing, maintenance and replacement procedures and servicing instructions for such equipment and shall require that smoke detection and warning equipment which is installed in such residential buildings shall be capable of sensing visible or invisible smoke particles, that the manner and location of installing smoke detectors shall be approved by the local fire marshal or building official, that such installation shall not exceed the standards under which such equipment was tested and approved and that such equipment, when activated, shall provide an alarm suitable to warn the occupants, provided each hotel, motel or inn shall install or furnish such equipment which, when activated, shall provide a visible alarm suitable to warn occupants, in at least one per cent of the units or rooms in such establishment having one hundred or more units or rooms and in establishments having less than one hundred units or rooms, it shall install or furnish at least one such alarm.

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(3) Said regulations shall (A) provide the requirements and specifications for the installation and use of carbon monoxide detection and warning equipment and shall include, but not be limited to, the location, power requirements and standards for such equipment and exemptions for buildings that do not pose a risk of carbon monoxide poisoning due to sole dependence on systems that do not emit carbon monoxide; [.] (B) provide the requirements for testing and inspecting carbon monoxide detection and warning equipment installed in public or nonpublic school buildings and shall include, but not be limited to, the frequency with which such equipment shall be tested and inspected; (C) require that, for a public or nonpublic school building, (i) any carbon monoxide detection equipment installed in any such building meet or exceed the Underwriter's Laboratories Standard Number 2075, or (ii) any carbon monoxide warning equipment installed in any such building meet or exceed the Underwriter's Laboratories Standard Number 2034; (D) require the installation and maintenance of such detection or warning equipment to comply with the manufacturer's instructions and with the standards set forth by the National Fire Protection Association; and (E) prohibit, for public and nonpublic school buildings for which a building permit for new occupancy is issued on or after January 1, 2012, the installation of any battery-operated carbon monoxide warning equipment or any plug-in carbon monoxide warning equipment that has a battery as its back-up power source.

(b) (1) No certificate of occupancy shall be issued for any residential building designed to be occupied by two or more families, or any new residential building designed to be occupied by one or more families for which a building permit for new occupancy is issued on or after October 1, 1978, unless the local fire marshal or building official has certified that [said] such building is equipped with smoke detection and warning equipment complying with the Fire Safety Code.

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(2) No certificate of occupancy shall be issued for any (A) new residential building not exempt under regulations adopted pursuant to subsection (a) of this section and designed to be occupied by one or two families for which a building permit for new occupancy is issued on or after October 1, 2005, or (B) public or nonpublic school building for which a building permit for new occupancy is issued on or after January 1, 2012, unless the local fire marshal or building official has certified that [said] such residential or school building is equipped with carbon monoxide detection and warning equipment complying with the Fire Safety Code.

(c) (1) No municipality, local or regional board of education, or supervisory agent of a nonpublic school, and (2) no employee, officer or agent of such municipality, board of education or supervisory agent acting without malice, in good faith and within the scope of his or her employment or official duties shall be liable for any damage to any person or property resulting from the failure to detect carbon monoxide within a public school building, provided carbon monoxide detection equipment is installed and maintained in accordance with the manufacturer's published instructions and with the regulations established pursuant to this section.

Approved July 13, 2011